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SIPDIS

STATE FOR EAP, IO, G/TIP, AND DRL  
DEPT PLEASE PASS TO DEPT OF LABOR ILAB OFFICE  
PACOM FOR FPA  
US MISSION TO GENEVA FOR LABOR ATTACHE

E.O. 12958: N/A

TAGS: ELAB PGOV PREL PHUM BM

SUBJECT: BURMA: COMMENTS ON DRAFT TVPRA REPORT

REF: STATE 3075

**¶1.** (U) This is a response to reftel. Information, while unclassified, should not be shared outside of the Department of State and Department of Labor, nor published on the internet.

**¶2.** (U) Embassy Rangoon appreciates the opportunity to comment on the Department of Labor's (DOL) list of goods associated with forced or child labor (reftel), as required by the 2005 Trafficking Victims Protection Reauthorization Act (TVPRA). Based on consultations with UN agencies and NGOs working on trafficking in persons (TIP) issues, Post recommends that DOL include the following four items in its TVPRA report:

--rubber (forced labor)  
--rice (forced labor)  
--physic nut (forced labor)  
--sugar cane (forced labor)

**¶3.** (U) Post understands there is anecdotal evidence on the use of forced and child labor in other sectors; however, the Embassy, UN agencies, and NGOs cannot verify these allegations. We question the reliability of news reports and reports written by exile groups, as none of these organizations have provided specific information to the UN agencies responsible for forced and child labor investigations, despite numerous requests. According to ILO Liaison Officer Steve Marshall, the ILO to date has received credible reports of forced labor in only the above-mentioned sectors.

**¶4.** (U) Forced labor is used in Burma. The ILO, working with the Burmese Government under the 2007 Supplementary Understanding on Forced Labor, continues to investigate and resolve official complaints about forced labor and the use of child soldiers. However, neither the ILO nor UNICEF have received official complaints regarding the use of child labor or forced child labor. To be sure, Burmese children commonly work as farmhands on family farms. This, by definition, does not constitute forced child labor.

**¶5.** (U) Based on information from the ILO, the Burmese

Government has taken some steps to address the use of forced labor, and has successfully resolved 50 of 70 cases brought to it by the ILO between February 2007 and November 2008. The 20 remaining cases either await an answer from the GOB or are pending ILO investigation. Problems remain, however, and the ILO continues to push for the ability to investigate unofficial complaints. That said, given the lack of concrete information or formal complaints outside the above-mentioned sectors, Post urges DOL to modify the list of items proposed in Ref A.

DINGER